

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

Indeck Keystone Energy LLC)

Plaintiff)

vs.)

No. Civil Action 04-325 Erie

Victory Energy Operations LLC)

Defendant)

HEARING ON Summary Judgment

Held on Wed. May 10, 2006

Before Judge Sean J. McLaughlin

John Lilesor

Christopher Smead

Appear for Plaintiff

Appear for Defendant

Hearing begun 9:20 - 11:55 am

Hearing adjourned to 12:56 pm

Hearing concluded C.A.V. 2:23 pm

Stenographer Ron Bench

Clerk N/A

WITNESSES:

For Plaintiff

For Defendant

Mtn. for Partial SJ [Doc 48] is DENIED, Mtn. for
Partial SJ [53] is GRANTED IN PART; DENIED IN PART
w/Respect to Δ's Counter Claim; Mtn. for Partial SJ
[Doc 56] is DENIED. Expert Discovery to Close on
September 8, 2006; T's PTS due September 27, 2006;
Δ's PTS October 17, 2006.